

# CONTRACTOR BAIRD, FIFTH AVENUE'S DESPOILER, BROUGHT

Amazed to Find That His  
Day of Reckoning  
Is Here.

SEES INDICTMENT AHEAD

Asst. District-Attorney Zear-  
ing's Presence Startled  
Him.

NO LONGER A BRUMMEL.

Baird Dispensed with Broadway  
Togs and Came to Court  
in Black.

GRINNED AT JOURNAL ARTIST

But After That Baird Remained  
Hot and Frowning Until  
the Hearing  
Closed.



Contractor William P. Baird.

The Journal has carried its point in behalf of the outraged people of Fifth Avenue.

Contractor Baird's abuse of the residents and merchants along the line of that wrecked and disfigured thoroughfare has become a matter of legal record. Baird is in the hands of the law.

The dingy antechamber in Jefferson Market Court saw a sight yesterday the like of which is not known in the annals of the municipality. The delinquent contractor, who, with the admitted sanction of the Commissioner of Public Works, has kept a great thoroughfare in the greatest city of this continent in a state of chaos and upheaval for weeks, which in the fulness of his neglect lengthened into months, stood there to all intents and purposes a prisoner, to answer for the wrong he has done to taxpayers and citizens—the stoppage to business and the menace to public health.

## Places Are Changed.

The merchants whom in his effrontery and in his faith in his "pull" he has thus wronged were there facing him as part and parcel of the public which, in the person of Justice, has called this offender to the bar.

For months they were supplicants, begging for relief from the imposition Baird had placed on them. But he was deaf to their pleading.

Yesterday the scene was changed. The sovereign people have something to say after all, and Baird looked as if he had learned it.

He, and those who encouraged him in his abuse of the privileges his contract afforded him, may thank the Journal for teaching the people of Fifth Avenue that they need not be trodden upon unless they willed it so.

They have learned the lesson well. In the court chamber, arrayed against Baird, were reputable merchants of Fifth Avenue who a month ago were complaining bitterly but idly, and doing nothing because they saw no hope.

Yesterday the result of the Journal's work was made plain. The Journal's counsel, Mr. Felix H. Levy, of Einstein & Townsend, was there, to urge and conduct the charge brought against Baird by Merchant Adolphe L. Audrain, of No. 261 Fifth Avenue.

## Baird at the Bar.

But that was not all. What made plain to Contractor Baird that he was not dealing now with the feeble complaints of helpless individuals, but with a force greater than all his backing in the city administration, was the presence of Assistant District-Attorney Charles W. Zearing, who collaborated with Counsellor Levy in presenting the case, and made as the hearing went on careful minutes of the testimony. Baird and his lawyer, too, knew what that meant. It was that the District-Attorney's office, convinced that the case against Baird as presented in the Journal was of sufficient strength to make it probable he would be held to await the action of the Grand Jury—a belief which the people of Fifth Avenue, with one credulous exception, cherish to the bottom of their hearts.

But even that was not all of the picture which the old antechamber saw.

## THE JOURNAL SUMMONS WHICH LANDED BAIRD IN JEFFERSON MARKET.

NEW YORK JOURNAL, FRIDAY, '99

### CONTRACTOR BAIRD'S POCKETFUL OF SUMMONSES. COLLIS'S BACK SMARTS UNDER STRONG'S LASHING.

Form No. 177 B-C. R. 3437. (Summons.) City Magistrates' Court, Second District, No. 125 Sixth Avenue, City and County of New York, ss.

**SUMMONS.**

**CITY MAGISTRATES' COURT, SECOND DISTRICT;**  
No. 125 Sixth Avenue.

**CITY AND COUNTY OF NEW YORK,**

The People of the State of New York

To  
*William P. Baird*

GREETING:

YOU ARE HEREBY SUMMONED to appear before me at the Second District City Magistrates' Court, No. 125 Sixth Avenue, in the City of New York, on *Saturday* the *2nd* day of *October*, 1897, at *ten* o'clock in the *fore* noon of that day, to answer a complaint against you made by *Adolphe L. Audrain*.

WITNESS my hand and seal this *30th* day of *September*, 1897.

*Thos. F. Wentworth*  
City Magistrate.

Form No. 177 B-C. R. 3437. (Summons.) City Magistrates' Court, Second District, No. 125 Sixth Avenue, City and County of New York, ss.

The People of the State of New York to William P. Baird, Greeting: You are hereby summoned to appear before me at the Second District City Magistrates' Court, No. 125 Sixth Avenue, in the City of New York, on Saturday, the 2d day of October, 1897, at ten o'clock in the forenoon of that day, to answer a complaint against you made by Adolphe L. Audrain. Witness my hand and seal this 30th day of September, 1897.

THOS. F. WENTWORTH, City Magistrate.

In Magistrate Hedges's court yesterday the Journal waged its crusade in behalf of Fifth Avenue taxpayers.

## Scene in the Jefferson Market Police Court Yesterday: Collis and Baird Present to Answer to the Demand Made by the Journal

There was something more singular, more phenomenal, more eloquent than all the rest.

It was the sight of a Commissioner of Public Works, summoned as a witness for the offended people, taking his stand at the side of a contractor accused of violating his contract, a contractor to whom he himself had written this letter of rebuke, this mandate to obey the law:

Department of Public Works,  
Sept. 24, 1897.

The Mayor and myself this morning went over the work you are performing under your contract for laying water mains in Fifth Avenue, and we are not at all satisfied with the progress you are making.

On the 1st inst. you addressed a letter to the Mayor in which you said you were satisfied to put on more men whenever there was an opportunity to do so. It appears to us that there is no reason in the world why more men should not be put to work on the west side of the avenue, from Thirty-first to Thirty-fourth street. The pipe is there ready to be laid, and is an obstruction to traffic and a nuisance to the residents.

Nor do we see any reason why you should not be at work between Thirty-fifth and Forty-second streets, unless you are delayed by lack of pipe. Unless within the next forty-eight hours a larger force of men is employed and more progress made, I shall be compelled to take means to vigorously enforce the provisions of the contract.

CHARLES H. T. COLLIS,  
Commissioner of Public Works.

To W. R. Baird, 339 East Sixty-third street.

This letter, now entered by the Journal upon the records of the court, was published in this newspaper a week ago last Saturday. It was the outcome of the Journal's efforts to redeem Fifth Avenue.

With a copy of this letter, which in conformity to the court's subpoena he had brought, in his inside pocket, Collis deliberately took up the cause of the

man to whom, spurred by the Journal and Mayor Strong, he had addressed it.

The Commissioner of Public Works was Baird's associate counsel in the hearing, helping out with suggestions, holding whispered consultation with the prisoner and the lawyer who was of record as his attorney in the case.

Nor is that all. At the elbows of the trio sat Chief Engineer Birdsall, of Collis's department, the man who, Mayor Strong says in his loyal attempt to shield the Commissioner whom he appointed, is really the responsible person in the premises, if, indeed, any blame for the Fifth Avenue outrage lie anywhere.

It was a wondrous sight, a sight a citizen will not see again in a lifetime.

But it is not strange that it was so, for Collis, as the Journal has said, stands also upon his defence in this case. The people are after him. There was a man named Tweed. Baird is, when all is told, merely an immediate incident.

## PRELIMINARIES OF THE HEARING BEFORE MAGISTRATE JOB E. HEDGES.

Contractor Baird Lost His Jauntiness, and Was Worried When He Saw the Array of Witnesses Against Him.

When the hurly-burly of the afternoon court session was over, Magistrate Hedges made his way to Chambers.

All through the afternoon witnesses, counsel and friends of the complainant and defendant had been straggling into court. They were a little army. The court officers had sifted from the crowd, which had gathered to hear the story of Baird's offence told in court, those persons who bore an actual part in the proceedings and had directed them to gather in the side room. Counsellor Levy and Assistant District-Attorney Zearing were among the first to arrive, accompanied by an assistant from Einstein & Townsend's office, and stenographers to make minutes of the examination.

There were the Journal reporters, who have borne a hand in making Mayor Strong compel Commissioner Collis make Contractor Baird do his duty and begin to live up to his contract. There were photographers, who have, from time to time, made pictures of the scene of ruin and desolation on Fifth Avenue.

There were the Fifth Avenue merchants, proprietors or managers of the big stores whose business has been kept at a standstill by Baird's delay.

It was only a few minutes before the hour when Contractor Baird made his way through the whispering throng at the doors and took his place in the even greater crowd which filled the Chambers. His counsel, J. Woolsey Sheppard, walked by his side.

### Baird Not So Natty.

Baird had lost all the natty which marked his appearance on the day when the Journal succeeded in getting him to court. He was dressed in black. He no longer expressed gayety. His fall overcoat, his hat, his cravat and his looks were of one value of darkness. His face was flushed and anxious. He halted when upon entering the doorway he first saw the array of witnesses against him.

He scanned the faces of the Fifth Avenue storekeepers, as if to enumerate those to whose petitions for relief he had returned nothing.

Retreating to the shelter of the door, which had swung open, he held long and earnest consultation with his lawyer. Looking up from this, he saw at the other side of the room an artist, who was making a study of him for the Journal. A grim smile overspread Baird's face, and as he saw the artist hasten to scratch off a side remark of the changed face, he laughed broadly.

That was the first and about the last and only real laughing that Baird did in the three hours and a half session which followed.

When Magistrate Hedges came into the room with the court stenographer to begin the hearing, which had been adjourned from its introductory appearance on Saturday last, the contractor had taken up his position beside the big safe, which stood in one corner of the room, just behind the seat occupied by Lawyer Sheppard. From this place he scarcely budged during the whole proceeding, but studied intently the faces of Judge, counsel and witnesses, and leaned forward at intervals to catch bits of the testimony, to examine the photographic exhibits, or to whisper with Collis and his counsel.

When the Magistrate called his court to order there were not chairs enough to accommodate half the persons connected with the case.

As they were arranging the records and exhibits Adolphe L. Audrain entered. Mr. Audrain is a rosy-checked, prosperous-looking man of forty. He wears a high hat and frock suit, and moves with business-like alertness. Baird scanned him carefully as he moved to his seat beside the counsel.

### Court Is Opened.

"Now, gentlemen," said the Magistrate, "are you ready to go on with this matter?"

The counsel nodded. Attorney Levy called notice of the Court to the presence of Assistant District-Attorney Zearing, who when recognized by the Magistrate, said: "I am present at this hearing. Your Honor, by instruction of the District-Attorney, who, thinking it likely that this matter might later on be turned over for his consideration, deemed it advisable to have a representative present to become cognizant of all the facts in the case."

Baird scanned Zearing narrowly while this declaration was made, and his face grew redder and redder. It was plain after all that the Journal and the people of Fifth Avenue were in earnest. Thus the preliminaries ended.

AUDRAIN TELLS HIS STORY.  
WHY

Complaint Recites the Details of the Outrage on Fifth Avenue and the Damage Done.

The clerk called, "Adolphe L. Audrain, the witness chair. In answer to Complainant of himself and his business. Then he charges."

"Go on and tell in your own way. We know about the condition of Fifth Avenue. Well, ever since about the first of

PET

THE REMOVAL ON

Commissioner

C. H. T.

Petition of Citizens, T.

William Strong, Mayor

Whereas, Charles H. T.

Public Works of the City

office by you, as Chief Ex-

failed and neglected to per-

law as such Commissioner

tensely engaged in recon-

main of Fifth Avenue and

far beyond the extent of

specifications; and

Whereas, Said Comm

avenue and other streets

filthy and dangerous cond

and business in that locality

and

Whereas, Said Comm

appeals and protests ma

We, the undersigned

property along Fifth Av

tion you, as Honorable

immediately take steps

T. Collis from the offi

## Fifth Avenue's Petition

This petition was presented to the Court of which there are more than five hundred copies of the Journal. They are on Fifth Avenue

our shop," said Mr. Audrain, "and the sidewalk. The heaps were, I should high that it is impossible for me to first of June, all through June and did any work there at all. There were they began filling in, but its been March."

By the Court—"Has the street been closed during that time? "It has not March."

"Has it been entirely closed up? "Yes, it has been entirely closed up."

"Can carriages travel up and down?"

"No, they can not."

"How long has that condition been?"

"Certainly for two or three weeks."